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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

ELAINE L. CHAO, SECRETARY OF LABOR,)
UNITED STATES DEPARTMENT OF LABOR,)

Plaintiff,)

v.)

PARAGON CONTRACTORS CORP.)
and BRIAN JESSOP, individually, and)
JAMES JESSOP, individually,)

Defendants.)

Case No. 2:06cv700 TC

NOTICE OF WAIVER OF SERVICE OF DEFENDANTS

Attached is a Waiver of Service of the Complaint upon Defendants. Defendants waived service of the Complaint, through their attorney, on September 19, 2006.

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By Katherine Vigil
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U. S. DEPARTMENT OF LABOR

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Brent L. Tolman
United States Attorney
District of Utah

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

Service of the foregoing Notice of Waiver of Service of Defendants has been made this day by mailing a copy thereof by first class mail, with postage prepaid, to:

Heath H. Snow
Bingham & Snow, LLP
230 North 1680 East
Suite D-1
St. George, Utah 84790

Dated this 10th day of October, 2006.

Katherine Vigil
Katherine Vigil

DUI 43

1/96

WAIVER OF SERVICE OF SUMMONS**TO:** Katherine Vigil

(Name of Plaintiff's Attorney of Plaintiff Pro Se)

I, Heath H. Snow, attorney for Defendant acknowledge receipt of your request that I waive
 (Name of Defendant)
 service of a summons in the case of Elaine L. Chao, Secretary of Labor v.
Paragon Corp., Brian & James Jessop, case number 2:06CV00700 TC, in
 the United States District Court for the District of Utah. I also have received a (i) copy of the complaint in the
 action, (ii) two copies of this form, and (iii) a means by which I can return the signed waiver to you without
 cost to me.

I agree to save the cost of service of a summons and an additional copy of the complaint in this lawsuit
 by not requiring that I (or the entity on whose behalf I am acting) be served with judicial process in the manner
 provided by Federal Rule of Civil Procedure 4.

I (or the entity on whose behalf I am acting) will retain all defenses or objections to the lawsuit or to
 the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service
 of the summons.

I understand that a judgment may be entered against me (or the party on whose behalf I am acting) if
 an answer or motion under Federal Rule of Civil Procedure 12 is not served upon you within sixty (60) days
 after September 13, 2006 (date request was sent), or within ninety (90) days after that date if the
 request was sent outside the United States.

9/19/06

Date

Printed/Typed Name: Heath H. SnowAS Attorney OF Defendants**DUTY TO AVOID UNNECESSARY COSTS OF SERVICE OF SUMMONS**

Federal Rule of Civil Procedure 4 requires certain parties to cooperate in avoiding unnecessary costs of service
 of the summons and complaint. A defendant located in the United States who, after being notified of an action and
 asked by a plaintiff located in the United States to waive service of a summons, fails to do so will be required to bear
 the cost of such service unless good cause be shown for its failure to sign and return the waiver.

A party's belief that the complaint (i) is unfounded, (ii) that the action has been brought in an improper place,
 or (iii) that the action has been brought in a court that lacks jurisdiction over the subject matter of the action or over
 its person or property, does not constitute good cause for failure to waive service. Parties who waive service of
 summons retain all defenses and objections (except any relating to the summons or to the service of the summons) and
 later may object to the jurisdiction of the court or to the place where the action has been brought.

A defendant who waives service must (i) serve, within the time specified on the waiver form, on the plaintiff's
 attorney or plaintiff pro se a response to the complaint, and (ii) file a signed copy of the response with the court. If the
 response is not served within this time, a default judgment may be taken against that defendant.